

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FERNANDO NAVARRO HERNANDEZ,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:09-cv-00545-LRH-WGC

ORDER DENYING
MOTION FOR EXTENSION OF TIME
(ECF NO. 238)

In this capital habeas corpus action, the Respondents filed a motion to dismiss on December 24, 2019 (ECF No. 224). Petitioner Fernando Navarro Hernandez, represented by appointed counsel, filed an opposition to the motion to dismiss on June 8, 2020 (ECF No. 234).

On June 9, 2020, ruling on a motion for extension of time filed by Hernandez, the Court ordered that Hernandez had seven days, until June 16, 2020, to file any motion for evidentiary hearing relative to the motion to dismiss. See Order entered June 9, 2020 (ECF No. 236). Hernandez did not file any such motion. In the June 9, 2020, order, the Court ordered that, if Hernandez did not file a motion for evidentiary hearing, Respondents' reply in support of their motion to dismiss would be due 30 days after the deadline for the motion for evidentiary hearing. See *id.* Thus, Respondents have until and including July 16, 2020, to file a reply in support of their motion to dismiss.

On July 9, 2020, Respondents filed a motion for extension of time (ECF No. 238), requesting "a seven (7) day enlargement of time, to and including July 16, 2020" to file a reply in support of their motion to dismiss. That motion is unnecessary; the reply is

1 already due on July 16. The motion for extension of time (ECF No. 238) will be denied
2 on that ground.

3 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of
4 Time (ECF No. 238) is **DENIED**, as it is unnecessary. Respondents have until and
5 including July 16, 2020, to file a reply in support of their motion to dismiss.

6 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
7 proceedings set forth in the order entered February 20, 2015 (ECF No. 94) will remain
8 in effect.

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10 DATED this 10th day of July, 2020.

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14 LARRY R. HICKS
15 UNITED STATES DISTRICT JUDGE
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